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sequences, SEQ ID NOS:1-20, in computer readable form, and a paper copy of the sequence information which has been printed from the floppy disk.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

The paragraph beginning on page 11, line 27, has been amended as follows:

**FIGS. 10(A-B).** Conserved *cis* Regulatory Elements in the SM actin 5' (FIG. 10A) and First Intron (FIG. 10B) Promoter Regions. Several important protein binding regions that have significant homology to known *cis* regulatory elements that bind AP1 and the GATA family of transcription factors were identified by DNase footprinting. This Figure also shows the mutated sequences for AP1-like (SEQ ID NO:19), GATA (SEQ ID NO:20) and CARGs A, B and the intronic CARG (SEQ ID NOS: 14, 15, and 16 respectively), which were prepared. The Figure further shows the homology that exists for the above sequences in humans, rats, mice and chickens.

The paragraph beginning on page 12, line 10, has been amended as follows:

**FIGS. 12(A-C).** Alignment of Human, Rat, Mouse, and Chicken 5' Promoter Region from about -1,100 base pairs to the Start of Transcription (SEQ ID NOS: 3-6, respectively). CARGs A and B are marked and boxed.

The paragraph beginning on page 12, line 14, has been amended as follows:

**FIGS. 13(A-G).** Alignment of Human, Rat, Mouse and Chicken First Intron Sequence from about +47 through about +2775 (SEQ ID NOS: 7-10, respectively). The intronic CARG is marked and boxed.